

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL B. ADKINS; RUSS E.)
BELSAAS; O. LEE BIVENS; ROBERT C.)
BUCKLEY; REBECCA D. BUCKLEY;)
MARCO COLEMAN; CALCOL, LLC;)
CONGREGATION YETEV LEV; TIMOTHY)
R. DIENHART; VINCENT HOMER;)
SANDRA HOMER; RICHARD JERZAK JR.;)
MIA LOW; HARLAN KEENER; PATRICIA)
KEENER; BLIMA KOHN; TOM MARTIN;)
KATHY MARTIN; DON E. MERRYMAN)
REVOCABLE TRUST; KING D. OBERLIN;)
CHESKEL REICH; DANIEL L. RITZ;)
WEBER FAMILY TRUST; WEINBERGER)
TRUST; REV. JOSEPH T. WHEAT;)
and BLANCHE WHEAT,)

Plaintiffs)

v.)

MID-AMERICA ENERGY, INC.;)
MID-AMERICA OIL & GAS, LLC;)
GARY MILBY; EAGLE OIL #5, LLP;)
EAGLE OIL #6, LLP; EAGLE OIL #7,)
LLP; EAGLE OIL #8, LLP; EAGLE OIL)
#9, LLP; and EAGLE OIL #10, LLP,)

Defendants)

No. 3:07-0422
Judge Trauger/Brown

ORDER

This matter having come before this Court on the Motion for Entry of Default Judgment (Docket Entry 23) filed by the Plaintiffs, this Court having considered the motion and record in this case adopts the report and recommendation of the Magistrate Judge and hereby concludes that the motion should be **GRANTED**.

The Court further finds as follows:

A. The Defendants Mid-America Energy, Inc.; Mid-America Oil & Gas, LLC; Gary M. Milby; Eagle Oil #5, LLP; Eagle Oil #6,

LLP; Eagle Oil #7, LLP; Eagle Oil #8, LLP; Eagle Oil #9, LLP; and Eagle Oil #10, LLP (Defendants) were served by personal service on June 17, 2007.

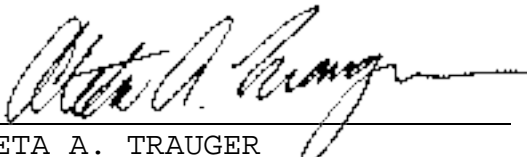
B. The Defendants failed to respond to or otherwise defend the allegations in the complaint.

C. The Defendants failed to respond to the motion (Docket Entry 23) filed on July 16, 2007.

D. The Plaintiffs are entitled to a default judgment against the Defendants.

E. This case involves rescissory damages in the amount of \$2,388,300.00 apparent and calculable according to the complaint.

It is so **ORDERED**.



ALETA A. TRAUGER
United States Judge